



U.S. DEPARTMENT of STATE

Gabon

Country Reports on Human Rights Practices - [2004](#)

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Gabon is a republic dominated by a strong presidency. The Gabonese Democratic Party (PDG) has remained in power since 1968 and has circumscribed political choice. PDG leader El Hadj Omar Bongo Ondimba, President since 1967, was reelected for a 7 year term in a 1998 election marred by irregularities. In 2002, legislative by elections were held and resulted in 107 National Assembly seats for the PDG and allied parties and 13 for the opposition. In February 2003, the PDG won a majority of Senate seats. The judiciary remained inefficient and subject to government influence.

The national police, subordinate to the Interior Ministry, and the Gendarmerie, subordinate to the Defense Ministry, were responsible for domestic law enforcement and public security. Elements of the armed forces and the "Republican Guard," an elite, heavily armed unit that protects the President, sometimes performed internal security functions; both were subordinate to the Defense Ministry. The civilian authorities maintained effective control of the security forces. Members of the security forces committed human rights abuses.

The country's mixed economy lacked diversity and depended heavily on foreign trade in oil, manganese, and wood; the population was approximately 1.2 million. The Government dominated the economy through oil refining, telecommunications, and timber export parastatals. Government financial mismanagement and corruption contributed to significant arrears in domestic and external debt payments. Revenues from oil production, which increased slightly in 2003, contributed more than half of the budget of the country. The estimated per capita income was \$4,580; however, the distribution of wealth and social services was extremely uneven.

The Government's human rights record remained poor; although there were improvements in a number of areas, problems remained. The Government continued to limit the ability of citizens to change their government. Security forces sometimes beat and tortured prisoners and detainees, prison conditions remained harsh, and security forces sometimes violently dispersed demonstrations. Arbitrary arrest and detention were problems. Authorities routinely infringed on privacy rights. The Government continued to restrict freedom of the press and movement. Violence and societal discrimination against women and noncitizen Africans continued to be problems. Forced labor, child labor, and trafficking particularly in children remained problems.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no politically motivated killings by the Government or its agents; however, police forcibly dispersed demonstrations, which resulted in one death during the year (see Section 2.b.).

A small number of ritualistic killings reportedly were committed during the year. No official connection to the murders was established, and the Government publicly criticized such practices.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, security forces sometimes beat or tortured prisoners and detainees to extract confessions. Unconfirmed reports from the African immigrant community asserted that police and soldiers occasionally beat noncitizen Africans during operations to round up and deport illegal immigrants. During the year, the U.N. High Commission for Refugees (UNHCR) confirmed that it received reports from its regional offices that security forces continued to harass and

extort from refugees.

In November, there were unconfirmed press reports that police at the Ministry of Foreign Affairs allegedly raped a girl after detaining her for an identity card check. The girl reportedly was afraid to file a complaint, and no action was taken against the perpetrators.

Police violently dispersed demonstrations, which resulted in injuries (see Section 2.b.).

There continued to be reports that practitioners of certain traditional indigenous religions inflicted bodily harm on other persons.

Conditions in most prisons were harsh. Food, sanitation, and ventilation were poor, and medical care was almost nonexistent. Women were held separately from men, juveniles were held separately from adults, and pretrial detainees were held separately from convicted prisoners. There were no known visits by human rights monitors to prisons during the year; however, there were no reports that the Government impeded such visits.

d. Arbitrary Arrest or Detention

The Constitution prohibits arbitrary arrest and detention; however, the Government did not always observe these prohibitions.

The police, who are responsible for law enforcement and public security, were inefficient, and police response times were slow. The national Gendarmerie is responsible for internal security and setting up checkpoints. Corruption was a serious problem, and security forces often used bribes at checkpoints to supplement their salaries.

The law provides up to 48 hours for initial detention, during which police must charge a detainee before a judge; however, in practice, police rarely respected this timetable. Charges often were not filed expeditiously, and persons often were detained arbitrarily for short periods and occasionally detained for long periods. At arraignments, bail may be set if further investigation is required.

During the year, police arbitrarily arrested demonstrators (see Section 2.b.).

The Government occasionally arrested opposition leaders (see Section 2.b.). For example, in January, security forces detained Gerard Ella Nguema, the leader of the National Gathering of Republicans Party, and several of his colleagues on charges of counterfeiting, coup plotting, and attempting to blow up government buildings; all were subsequently released, and Nguema reportedly agreed to support the PDG during the 2005 presidential election. No further information was available.

Members of the security forces frequently detained individuals at roadblocks under the guise of checking vehicle registration and identity papers. Security forces frequently used such operations to extort money.

Pretrial detainees have the right to free access to their attorneys; this right was generally respected. Detainees have the right to an expeditious trial; however, in practice, overburdened dockets resulted in prolonged pretrial detention. Pretrial detention, limited to 6 months for a misdemeanor and to 1 year for a felony charge, may be extended for 6 months by the examining magistrate. Approximately 40 percent of persons in custody were pretrial detainees.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the judiciary remained susceptible to government influence. The President appoints and can dismiss judges through the Ministry of Justice, to which the judiciary is responsible. The judiciary was inefficient.

The judicial system includes regular courts, a military tribunal, and a civilian High Court of Justice. The regular court system includes trial courts, appellate courts, and the Supreme Court. The Constitutional Court is a separate body charged with examining constitutional questions, including the certification of elections. The High Court of Justice is constituted by the Government as required to consider matters of security.

Systemic resource and personnel shortages in the judiciary often contributed to prolonged pretrial detention (see Section 1.d.).

The Constitution provides the right to a public trial and the right to legal counsel, and the Government generally respected these rights. Nevertheless, a judge may deliver an immediate verdict of guilty at the initial hearing in a state security trial if the Government presents sufficient evidence.

Minor disputes may be taken to a local chief, particularly in rural areas; however, the Government did not recognize such decisions.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions; however, the Government did not respect these prohibitions in practice. As part of criminal investigations, police may request search warrants from judges, which they obtained easily, sometimes after the fact. The Government sometimes used search warrants to gain access to the homes of opposition figures and their families (see Section 2.b.).

During the year, security forces conducted warrantless searches for illegal immigrants and criminals using street stops and identity checks.

Authorities reportedly routinely monitored private telephone conversations, personal mail, and the movements of citizens.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and although citizens generally continued to speak freely and to criticize the Government, the Government continued to restrict press freedom. Legislators in the National Assembly openly criticized government policies, ministers, and other officials. The Government did not restrict academic freedom.

The only daily newspaper was the government affiliated L'Union. Approximately nine privately owned weekly or monthly newspapers represented independent views and those of various political parties; however, most appeared irregularly due to financial constraints or in some cases, government suspension of their publication licenses. All newspapers, including L'Union, criticized the Government and political leaders of all parties, but not the President. Foreign newspapers and magazines were available widely.

The Government owned and operated two radio stations that broadcast throughout the country. Much of their news coverage concerned the activities of government officials; however editorials sometimes criticized specific government policies or ministers. Seven privately owned radio stations were operating at year's end; most were apolitical. International radio stations, including Voice of America and Radio France International, broadcast locally.

The Government owned and operated two television stations, RTG 1 and RTG 2. Four privately owned television stations transmitted 8 hours per day. Satellite TV reception was available.

On March 8, security forces arrested and detained Alfred Ngamba, a journalist for Le Nganga, for defamation, "telephone harassment," and "attempting to extort money"; Ngamba had published an article alleging that an NGO president was having an affair. On March 19, Nganga was acquitted of all charges and released.

Unlike in the previous year, the National Communications Council did not suspend the publication of newspapers that criticized the Government; however, the 2003 suspensions of satirical weeklies Misamu and Sub Version and the bi monthly newspaper Sagaie remained in effect. None of the three newspapers had resumed operation by year's end.

The Communications Code stipulates that penalties for libel and other offenses include a 1- to 3-month publishing suspension for a first offense and a 3- to 6-month suspension for repeat offenses. Editors and authors of libelous articles can be jailed for 2 to 6 months and fined \$700 to \$7,000 (500,000 to 5 million CFA francs). Libel can be either a criminal offense or a civil matter. The law authorizes the Government to initiate criminal libel prosecution against persons for libeling elected government officials; it also authorizes the State to criminalize civil libel suits.

The Government did not restrict access to the Internet.

In January, the Government closed a secondary school in Libreville after students rioted to protest the Government's failure to provide free bus transportation; the school subsequently reopened.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, on occasion, security forces violently dispersed demonstrations and strikes. The law requires that groups obtain permits for public gatherings in advance, and the Government usually granted them.

In September, gendarmes in Ngounié province shot five protesters, including a student, during a demonstration to demand the return of electricity to Mandji-Dibangwui village; the student died, and numerous demonstrators were injured. After learning of

the death, residents of the town attacked the Lebamba gendarmerie brigade headquarters and beat to death two gendarmes, including the brigade chief. The alleged killers of the gendarme officers were detained, charged, and awaiting trial at year's end; however, no action was taken against those responsible for the student death. There were unconfirmed reports that police used torture to extract information from the villagers regarding the identity of those responsible for the gendarme deaths.

On November 15, police shot into the air and used tear gas to disperse a demonstration led by Herve Patrick Opiangah, a local businessman who founded the Democratic Union for Social Integration (JDIS) in 2002; several demonstrators were injured. The demonstrators were protesting the Interior Ministry's refusal to register the party despite three legitimate applications and a ruling in the party's favor by the Constitutional Court. Security forces subsequently searched Opiangah's house and allegedly discovered weapons; Opiangah was detained on weapons charges and awaiting trial at year's end.

No action was taken against security forces who forcibly dispersed demonstrations in 2003.

The Constitution provides for the freedom of association; however, the Government did not always respect this right in practice.

c. Freedom of Religion

The Constitution provides for religious freedom, and the Government generally respected this right in practice.

Some Protestant denominations alleged that the government television station accords free broadcast time to the Catholic Church but not to minority religious groups. Others alleged that the armed forces favor Roman Catholics and Muslims in hiring and promotions.

The Ministry of the Interior maintained an official registry of religious groups; however, it did not register traditional religious groups. The Government did not require religious groups to register but recommended that they do so to assemble with full constitutional protection.

The Government has refused to register approximately 10 religious groups, including Jehovah's Witnesses. A decree banning Jehovah's Witnesses remained in effect; however, the Government did not enforce the decree.

For a more detailed discussion, see the [2004 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government frequently restricted them in practice. There were no legally mandated restrictions on internal movement; however, police and gendarmes continued to stop travelers frequently to check identity, residence, or registration documents, and members of the security forces harassed expatriate Africans working legally as merchants, service sector employees, and manual laborers. Some members of the security forces extorted bribes and demanded services with threats of confiscation of residency documents or imprisonment. Residency permits cost up to \$150 (100,000 CFA francs), and first time applicants also must provide the cost of a one way air ticket to their country of origin. In theory, but usually not in practice, the Government refunds the cost of the air ticket when the individual departs the country permanently.

The Government intermittently enforced an internal regulation requiring married women to obtain their husbands' permission to travel abroad. During the year, there were numerous reports that authorities refused to issue passports for travel abroad with no explanation. There also were reports of unreasonable delays in obtaining passports, despite a government promise in 2003 to process passports within 3 days. During the year, opposition leader Pierre Manboundou, President of the Union of the Gabonese People Party, repeatedly was denied a passport, allegedly for political reasons.

The law prohibits forced exile, and the Government did not use it.

The law provides for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol, and the Government has established a system for providing protection to refugees. In practice, the Government provided protection against refoulement, the return of persons to a country where they feared persecution. The Government granted refugee status or asylum. The Government cooperated with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers. However, refugees have complained about widespread harassment, extortion, and detentions by security forces. At year's end, approximately 13,500 refugees remained in the country, including 12,000 from the Republic of the Congo.

Following an alleged coup attempt in Equatorial Guinea in June that originated from Gabonese territory, refugees and émigrés from Equatorial Guinea were reportedly deported at the request of the Equatorial Guinean Government without due process or a confirmed link to the coup attempt.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully; however, mismanagement and serious irregularities in both the 1998 presidential elections and the 2001 legislative elections limited this right in practice. A single party, the PDG, has remained in power since its creation by President Bongo Ondimba in 1968, and political choice has remained limited.

The country is dominated by a strong Presidency. While the legislature is not in session, the President can veto legislation, dissolve the national legislature, call new elections, and issue decrees that have the force of law. The legislature generally approved legislation presented to it by the President. The President appoints ministers of government and heads of parastatals.

President Bongo Ondimba, who has been President since 1967, was re elected for another 7 year term in a 1998 election marred by irregularities that generally favored his incumbency, including incomplete and inaccurate electoral lists, and the use of false documents to cast multiple votes. In July 2003, the Constitution was amended to remove all term limits.

In 2002, legislative by elections were held to fill seats nullified in the 2001 legislative elections, which resulted in the PDG and allied parties holding 107 and the opposition holding 13 seats in the National Assembly.

Senatorial elections were held in February 2003, and the PDG won a majority of the 91 seats. There were widespread reports of irregularities, and the elections were considered neither free nor fair. Municipal and regional government officials elect the senators, who serve 6-year terms. All the senators were either members of the PDG or of political parties linked to the PDG.

The ability of citizens to choose provincial governments remained limited in practice. Provincial governors, prefects, and sub prefects were officers of the central Government responsible to and appointed by the President. Mayors and municipal councils were elected; however, municipal governments had limited financial autonomy and depended heavily on funding from the central Government.

In 2002, countrywide municipal elections were held. The PDG party won 85 percent of all seats; however, the level of voter participation was low, below 10 percent in some precincts.

Opposition parties included the Union for Gabonese People (UPG) and the Gabonese Progressive Party (PGP). The PGP was supported in Port Gentil, the center of the country's petroleum industry, and among the Myene ethnic group; however, ideological splits and rivalries limited its effectiveness. During the year, several UPG leaders left the party and joined the ruling PDG party.

Official corruption was widespread. During the year, the Government completed appointments to the 10-member anti-corruption commission in the Ministry for the Fight Against Corruption, which was established in 2003; however, the Commission issued no reports and took no action against corrupt officials during the year.

At year's end, 11 of 120 members of the National Assembly, 12 of 91 senators, and 5 of 43 government ministers were women.

Members of all major ethnic groups continued to occupy prominent positions; however, members of the President's Bateke ethnic group and other ethnic southerners held a disproportionately large number of key positions in the military and security forces. The General Chief of Staff, the Minister of Defense, the Chief of the Republican Guard, and the Minister of Interior were from the same region as the President or from the same ethnic group.

Indigenous Pygmies rarely participated in the political process, and the Government has made only limited efforts to include them (see Section 5).

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A few independent human rights groups generally operated without government restriction, investigating and publishing their findings. Governmental officials took no actions on the recommendations of such groups.

During the year, the Vice Prime Minister in charge of human rights released a white book that detailed past human rights violations in the country, including graphic pictures. President Bongo wrote a supportive preface to the book, which sharply criticized the country's human rights record.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The Constitution forbids discrimination based on national origin, race, gender, or opinion; however, the Government did not enforce these constitutional provisions uniformly, and there was considerable discrimination against women, especially in domestic affairs. Security forces also discriminated against noncitizens. The Government provided a lower level of health care and educational services to children of other African nationalities than it provided to citizens.

Women

Domestic violence against women was believed to be common, especially in rural areas; however, there were few reports of such violence during the year. Police rarely intervened in such incidents, and women virtually never filed complaints with civil authorities. Only limited medical and legal assistance for rape victims was available.

Rape is against the law; however, rape cases were seldom prosecuted.

Female genital mutilation (FGM) was believed to occur among the resident population of noncitizen Africans; however, there were no reports of such practices during the year.

The law prohibits prostitution; however, it was a problem.

The Government and nongovernmental organizations (NGOs) reported cases of female domestic workers (often victims of child trafficking) who were sexually molested by employers.

The law provides that women have rights to equal access in education, business, and investment; however, women continued to face considerable societal and legal discrimination, especially in rural areas. Women owned businesses and property, participated in politics, and worked throughout the Government and the private sector.

By law, couples must stipulate at the time of marriage whether they intend to adhere to a monogamous or a polygynous relationship; polygynous marriages were more common. For monogamous married couples, a common property law provides for the equal distribution of assets after divorce. In a polygynous marriage, a husband is obligated to give all wives the same level of financial support; however, he may marry additional wives without permission from his existing wives.

Wives who leave polygynous husbands received half of their existing support as a one time payment. In inheritance cases, the husband's family must issue a written authorization before his widow can inherit property.

Common law marriage, which was accepted socially and practiced widely, afforded women no property rights.

A regulation requires that a woman obtain her husband's permission to travel abroad; this requirement was not enforced consistently.

Children

The Government publicly expressed its commitment to youth, provided 4,000 academic scholarships during the year, and has used oil revenues to build schools, pay teacher salaries, and promote education, even in rural areas; however, the upkeep of schools and payment of teachers continued to decline. Education is compulsory until age 16 and generally is available through sixth grade; however, fewer than half of secondary school age children attended school. Secondary school attendance rates for immigrant children were lower, although public schools accepted immigrant children, and the Government encouraged them to attend. Students were required to pay for books, uniforms, and other school supplies, which precluded numerous children from attending school. Despite low enrollment, a U.N. agency estimated that 64 percent of women and 78 percent of men were literate.

The country's infant mortality rate was 5.4 percent; at last report, only approximately 16 percent of children had been vaccinated. Although international donors worked to improve the situation, the Government allocated few resources for vaccines or logistical support to administer them. Children remained the responsibility of the extended family. There was little evidence of physical abuse of children, although there were occasional reports that family members sexually abused girls who had passed puberty. The law provides for protection against child labor and sexual and physical abuse; however, there were no known prosecutions of individuals involved in such activities during the year.

During the year, there were no reports of FGM; however, the practice was believed to continue in the resident population of expatriate Africans.

Concerns about the problems facing the large community of children of noncitizen Africans persisted. Almost all enjoyed far less access to education and health care than did citizen children; some were victims of child trafficking and abuses (see Sections 5, Trafficking and 6.d.).

Child labor remained a serious problem (see Section 6.d.).

Trafficking in Persons

During the year, the President signed into law a 2003 bill to criminalize child trafficking; however, the country was a destination

for trafficked persons, particularly children. The Government did not actively investigate cases of trafficking and has not prosecuted any cases against traffickers; however, individuals accused of trafficking have been deported from the country. There were reports that some trafficked women and children were sexually abused.

According to several local NGOs, children (especially girls), primarily from Benin and Togo, were used as domestic servants or in the informal commercial sector. Nigerian children, also victims of trafficking, reportedly worked in the informal commercial sector as mechanics. Trafficked children generally worked long hours, were subjected to physical abuse, received inadequate food, and received no wages or schooling.

There have been unconfirmed reports that some government officials employed trafficked foreign children as domestic workers, and that individual police and immigration officers were involved in facilitating child trafficking.

UNICEF and the Government sponsored a toll-free assistance hotline for child trafficking victims that provided 24 hour response assistance and arranged free transport to a victims' shelter. The Government also ran a shelter for trafficking victims.

An inter ministerial committee comprised of representatives from the Labor, Justice, Foreign Affairs, and Family Ministries was involved in anti trafficking efforts. The Government also cooperated with UNICEF. In 2002, the Government and the International Labor Organization (ILO) launched a 3 year project on the prevention of child trafficking and child labor in the country.

Persons with Disabilities

There are no laws that prohibit discrimination against persons with disabilities or provide for access to buildings or services; however, there were no reports of official discrimination against persons with disabilities. There was some societal discrimination against persons with disabilities, and employment opportunities and treatment facilities were limited.

Indigenous People

The Baka (Pygmies) are the earliest known inhabitants of the country. Several thousand Pygmies lived in large tracts of still intact rain forest in the northeast. The law grants them the same civil rights as other citizens; however, Pygmies remained largely independent of formal authority, keeping their own traditions, independent communities, and local decision making structures. Pygmies did not participate in government instituted programs that integrated many small rural villages into larger ones along major roads.

Pygmies suffered societal discrimination, often lived in extreme poverty, and did not have easy access to public services. There were no specific government programs or policies to assist Pygmies.

In 2001, an NGO study of the Bukoya Pygmy population in the northeast found that most Pygmies lived in conditions tantamount to slavery, working on plantations for "Gabonese masters" for one plate of rice and a few cents per day. The NGO described the children born to Pygmy families in these situations as the "property" of the master. A typical family lived on 13 cents per day. According to the NGO, Pygmies who complained about their situation faced the possibility of being beaten.

Section 6 Worker Rights

a. The Right of Association

The Constitution places no restrictions on the right of association and recognizes the right of citizens to form trade and labor unions, and workers exercised this right in practice. The small private sector workforce was unionized. Unions must register with the Government to be recognized officially.

While no laws specifically prohibit anti union discrimination, the court may require employers who are found guilty by civil courts of having engaged in such discrimination to compensate employees.

b. The Right to Organize and Bargain Collectively

The Labor Code provides for collective bargaining by industry, not by firm; collectively bargained agreements set wages for whole industries. Labor and management met to negotiate differences, and the Ministry of Labor provided observers. Agreements negotiated by unions also applied to non union workers. There are no export processing zones.

The Labor Code provides for the right to strike after an 8 day notice advising that outside arbitration failed. Public sector employees' their right to strike is limited if a strike could jeopardize public safety. A 2003 social truce signed by the Government, employers, and the country's main trade unions provided for a 3 year hiatus on strikes and the creation of a 35 member mediation committee to negotiate disputes; however, trade unions threatened to strike during the year, charging that the Government and employers had not complied with the social truce agreement.

The Labor Code prohibits direct government action against individual strikers who abide by the arbitration and notification provisions.

After a parastatal palm oil company was privatized during the year, the workers went on strike after being denied promised separation bonuses and learning that government deductions for social security had not been forwarded to the government bureau handling the accounts for decades. The Government, which has not accounted for the funds, informed the workers that they were not eligible for retirement benefits. The dispute was settled peacefully, but at least one union leader reported that he was the recipient of death threats and police intimidation.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor; however, there were reports that such practices occurred, including by children (see Sections 5 and 6.d.).

Some Pygmies reportedly lived in conditions tantamount to slavery (see Section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

Children below the age of 16 may not work without the express consent of the Ministries of Labor, Education, and Public Health; however, child labor was a serious problem. The Legal Code stipulates fines and prison sentences for violations of the minimum age for work. The ministries rigorously enforced this law in urban areas with respect to citizen children, and few citizens under the age of 18 worked in the formal wage sector; however, child labor occurred in rural areas, where the law was seldom enforced.

An unknown number of children primarily foreign worked in marketplaces or performed domestic duties; many of these children were reportedly the victims of child trafficking (see Section 5). Such children generally did not go to school, received only limited medical attention, and often were exploited by employers or foster families. Laws forbidding child labor theoretically extended protection to these children, but abuses often were not reported. A 2001 ILO study estimated that the number of economically active children between the ages of 10 and 14 years was 19,000 to 20,000, but the actual number was probably considerably higher since most children worked in the informal sector.

The Ministry of Justice is responsible for implementing and enforcing child labor laws and regulations. Inspectors from the Ministry of Labor are responsible for receiving, investigating, and addressing child labor complaints. However, the inspection force was inadequate, complaints were not investigated routinely, and consequently, violations were not systematically addressed.

e. Acceptable Conditions of Work

The Labor Code governs working conditions and benefits for all sectors and theoretically provides a broad range of protection to workers; however, the Government sometimes did not respect these protections in practice. According to law, representatives of labor, management, and the Government meet annually to examine economic and labor conditions and to recommend a minimum wage rate to the President, who then issues an annual decree; however, this procedure had not been followed since 1994, in part because the Government was following a policy of wage austerity recommended by international financial institutions. The monthly minimum wage was approximately \$120 (60,000 CFA francs); government workers received an additional monthly allowance of \$40 (20,000 CFA francs) per child. Government workers also received transportation, housing, and family benefits. The law does not mandate housing or family benefits for private sector workers. The minimum wage did not provide a decent standard of living for a worker and family.

The Labor Code stipulates a 40 hour workweek with a minimum rest period of 48 consecutive hours. Employers must compensate workers for overtime work. All companies in the formal sector paid competitive wages and granted the fringe benefits required by law, including maternity leave and 6 weeks annual paid vacation.

The Ministry of Health established occupational health and safety standards, but it did not enforce or regulate them. The application of labor standards varied from company to company and between industries. In the formal sector, workers may remove themselves from dangerous work situations without fear of retribution.

The Government reportedly did not enforce Labor Code provisions in sectors where the majority of the labor force was foreign. Foreign workers, both documented and undocumented, may be obliged to work under substandard conditions; dismissed without notice or recourse; or mistreated physically, especially in the case of illegal aliens. Employers frequently required longer hours of work from noncitizen Africans and paid them less, often hiring on a short term, casual basis to avoid paying taxes, social security contributions, and other benefits.